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April 20, 2023

VIA ECF AND EMAIL

Hon. Paul A. Engelmayer
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Re: United States v. John Chen, 11 Cr. 1038 – April 24, 2023, status conference

Dear Judge Engelmayer:

For the reasons set forth below, I respectfully write to request that the defendant be excused from appearing at the status conference scheduled for Monday, April 24, 2023.

As the Court may recall, Mr. Chen is being held at the Essex County Correctional Facility (ECCF) located in Essex County, New Jersey. [REDACTED]

[REDACTED] According to Mr. Chen, the inside of the transport vehicle contains a metal structure similar to a cage, in which the inmate is confined while transported. [REDACTED]

As a result of the toll on his health that being transported to and from the Southern District Courthouse in Manhattan imposes, Mr. Chen respectfully requests that he be excused from appearing in person at the status conference and that he be allowed to appear by phone. The government does not object to this request.

Accordingly, counsel waives Mr. Chen's in-person presence at the status conference, and Mr. Chen respectfully requests that he be excused from appearing in person at the status conference and that he be allowed to appear by phone. Finally, I request permission to file a redacted version of this letter. This letter contains Mr. Chen's medical information, an ECF Privacy Policy category, subject to redaction prior to filing on the public docket.

Respectfully Submitted,



Karloff C. Commissiong, Esq.

cc: A.U.S.A. Jacob Fiddelman

Counsel's request that the defendant be permitted to participate remotely is, respectfully, **DENIED**. Remote participation would constrain the ability of defense counsel and the Court to engage meaningfully with the defendant during the hearing. The Clerk of Court is requested to terminate the motion at Dkt. No. 143. 4/21/2023

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge